

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Crim. No. 14-186 (PAM/HB)

Plaintiff,

v.

ORDER

Michael Anthony Lindsey,

Defendant.

This matter is before the Court on a letter from Defendant Michael Anthony Lindsey (Docket No. 274), seeking permission to file yet another motion challenging his sentence. The Court restricted Lindsey's filing privileges in September 2022 because of his multiple previous meritless filings. (Docket No. 255.) The Court of Appeals affirmed that restriction (Docket No. 265), and Lindsey remains restricted from filing any motions in this case absent assistance of counsel or prior permission of the Court.

The motion that Lindsey requests permission to file fails to raise a meritorious argument. Lindsey firsts requests permission to file a motion because he claims that the First Step Act was recently changed to afford additional relief to individuals who have been victims of sexual abuse, and therefore he is eligible for such relief. He provides no authority to support his claim that the law has changed. Indeed, no such change has been made to the First Step Act and the Court in its own research did not discover any similar change to another law that would provide Lindsey relief. Moreover, the Court considered Lindsey's history at sentencing. (PSR ¶ 60-63; Docket No. 91 at 3.) Thus, this argument is without merit.

Lindsey further claims that he was assaulted by a nurse at USP Hazelton and that he has suffered various abuse and unjust treatment at other prisons. It is unclear what relief Lindsey seeks regarding these allegations. Regardless, the events that Lindsey briefly describes ostensibly occurred between approximately 2016 and 2018. Therefore, Lindsey could have raised these arguments in his first motion for compassionate release, and any arguments regarding these allegations have been waived. (See Docket No. 179.)

Finally, Lindsey's initial request for compassionate release was denied (Docket No. 184), and his latest cursory mention of previous health conditions fall far short of establishing the "extraordinary and compelling reasons" to reevaluate that decision. See 18 U.S.C. § 3582(c)(1)(A).

Accordingly, **IT IS HEREBY ORDERED** that Defendant Michael Anthony Lindsey's letter request (Docket No. 274) is **DENIED**.

Dated: August 29, 2024

s/Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge